

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Christine Davis ;

Petition No. 961213-020-035

CONSENT ORDER

WHEREAS, Christine Davis of Colchester, Connecticut (hereinafter "respondent") has been issued license number 037087 to practice hairdressing and cosmetology by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 387 of the Connecticut General Statutes, as amended; and,

WHEREAS, the Department alleges that:

1. On or about January 21, 1995, respondent damaged Cherie Brundrett's hair by leaving a perm in Ms. Brundrett's hair too long.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-263.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 20-263 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-17 and 20-263 of the General Statutes of Connecticut, Christine Davis hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of three months under the following terms and conditions:
 - a. Within the period of probation, respondent shall attend and successfully complete training, pre-approved by the Department, in the use of self-timing perms. Within ten days of the completion of such training, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such training.
 - b. After completing the training required in paragraph 2a above, respondent shall have a supervisor, pre-approved by the Department, present for the first self-timing perm respondent performs. After observing one such procedure, the supervisor shall immediately report to the Department that he or she has personally observed one such procedure, and that such procedure was performed with reasonable skill and safety. If the supervisor reports that such procedure was not performed with reasonable skill and safety, such report shall be deemed a violation of this Consent Order.
3. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
410 Capitol Avenue, MS #12LEG
P.O. Box 340308
Hartford, CT 06134-0308
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. Respondent understands that this Consent Order is a matter of public record.

7. Any alleged violation of any provision of this Consent Order, may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a registered hairdresser and cosmetician, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric and/or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with

the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that her failure to cooperate with the Department's investigation shall constitute an admission that her conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).

9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
11. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
12. Respondent agrees that the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) her compliance with this Consent Order is at issue, or (2) her compliance with §20-263 of the General Statutes of Connecticut, as amended, is at issue.
13. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
14. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of

Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.

15. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
16. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
17. Respondent has the right to consult with an attorney prior to signing this document.

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I, Christine Davis, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Christine Davis
Christine Davis, H.C.

Subscribed and sworn to before me this 15th day of April, 1997.

Paul F. Chinggo
Notary Public or person authorized
by law to administer an oath or affirmation
Paul F. Chinggo Comm. of Superior Ct.

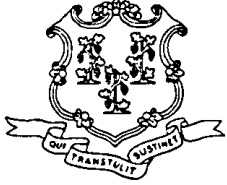
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 22nd day of April, 1997, it is hereby accepted.

Stanley K. Peek
Stanley K. Peek, Director
Legal Office

The above Consent Order having been presented to the duly appointed agent of the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians on the 2 day of May, 1997, it is hereby ordered and accepted.

Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians

037087 #/D



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

October 7, 1997

Ms. Christine Davis
190 New London Road
Colchester, Connecticut 06415

Re: Consent Order
Petition No. 961213-020-035
License No. 037087



Dear Ms. Davis:

Please accept this letter as notice that you have completed the terms of your license probation, effective October 1, 1997.

Notice will be sent to the Department's License and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Thank you for your cooperation during this process.

Very truly yours,

A handwritten signature in cursive script that reads "Bonnie Pinkerton".

Bonnie Pinkerton
Nurse Consultant
Health Systems Regulation

cc: Debra Tomassone



Phone:

Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # _____
P.O. Box 340308 Hartford, CT 06134
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